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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,724	02/11/2004	Jay R. Schriefer	61510	2831
24230	7590	04/13/2005	EXAMINER	
HARSHAW RESEARCH INCORPORATED P O BOX 418 OTTAWA, KS 66067			DEB, ANJANK	
			ART UNIT	PAPER NUMBER
			2858	

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SJM

Office Action Summary	Application No.	Applicant(s)	
	10/776,724	SCHRIEFER, JAY R.	
	Examiner	Art Unit	
	Anjan K. Deb	2858	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 11 February 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-20 is/are rejected.
 7) Claim(s) 3 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 11 February 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 02/11/2004.

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, “..capacitor being charged when said primary power source is enabled..” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 3 is objected to because of the following informalities: In claim 3, line 4, "lampassembly" should be --lamp assembly--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 5-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 5,666,029) in view of Lott (US 20040263096 A1).

Re claims 1,2,7,10, McDonald discloses ballast testing and monitoring apparatus (ballast self test circuit) and method including logic circuit (60), quick connection (switch) to a fluorescent lamp assembly having a lamp system ballast (AC BALLAST) and at least one fluorescent lamp (TO LAMP)(Fig. 1) comprising a casing (fluorescent luminaire)(column 1 lines 11-18) having a plurality of light sources (fixture holds lamps) spaced apart along a top surface thereof (column 5 lines 31-35), a test circuit positioned in said casing (column 3 lines 12-14) releasably connecting (switch) (column 5 lines 16-25, column 7 lines 29-31) the test circuit to a primary power source, means (switch) for releasably connecting test circuit to lamp assembly ballast and one lamp, means in said test circuit for obtaining startup voltage data (column 5 lines

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25-30, lines 54-56, column 6 lines 66 to column 7 lines 1-3) from said lamp assembly ballast for evaluation indicative of operability of said lamp assembly ballast.

Re claims 2, 10 McDonald discloses means in said test circuit for obtaining operation voltage data from said lamp assembly and means for storing measured data in memory (RAM)(column 7 lines 40-45).

Re claim 12, McDonald discloses monitoring voltage at first predetermined time (2 to 8 second)(column 7 lines 14-22, measuring voltage at a second predetermined time (10 second)(column 7 lines 22-31), providing test voltage data for comparison (evaluate data)(Fig. 4) with predetermined voltage data, and storing test data in memory (RAM).

Re claims 1,2,7,10,12 McDonald did not expressly disclose memory for storing ballast fault data.

Lott (US 20040263096 A1) discloses circuit for testing fluorescent lamps (FL1, FL2) comprising storing fault data (correction factor) in memory (para [0029], [0031]).

At the time of the invention it would have been obvious for one of ordinary skill in the art to modify McDonald by adding memory for storing fault data disclosed by Lott for comparing with measured data.

Re claims 5, 6, 13-16 McDonald discloses secondary power source (emergency power supply means) energizing said test circuit when said primary power source is disabled (column 1

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line 66 to column 2 line 2) and secondary power source is a capacitor (recharged) (column 2 lines 9-10).

Re claims 8,9,17, McDonald discloses passing a voltage across a filament of said at least one fluorescent lamp and providing the voltage to test circuit, memory (RAM) for storing measured data (column 7 lines 40-52), and determining inoperability of fluorescent lamp (loss of line voltage)(column 1 lines 23-28, column 5 lines 25-28).

Re claim 11, McDonald discloses status indicators 16 comprising LED connected to logic circuit (18,60) for indicating the status of fluorescent lamp and ballast (column 6, lines 56-58, column 9 lines 42-44).

McDonald did not expressly disclose plurality of LEDs.

At the time of the invention it would have been obvious for one of ordinary skill in the art to modify McDonald by adding plurality of LEDs for plurality of status indications.

5. Claims 3, 18-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 5,666,029) and Lott (US 20040263096 A1), in view of Lau (US 5,597,233 A).

Re claims 3, 18-20, McDonald as modified by Lott disclosed all of the claimed limitations as set forth above except wire clips having plurality of wire receiving clips for connecting wires.

Lau (US 5,597,233 A) discloses light fixture with wire clips for connecting (engaging) wires.

At the time of the invention it would have been obvious for one of ordinary skill in the art to modify McDonald by adding a wire clip having a plurality of wire receiving clips as disclosed by Lau for connecting wires in luminaire comprising ballast.

6. Claim 4, is rejected under 35 U.S.C. 103(a) as being unpatentable over McDonald (US 5,666,029) and Lott (US 20040263096 A1), in view of Moisin (US 5,798,617 A).

Re claim 4, McDonald as modified by Lott disclosed all of the claimed limitations as set forth above except plug and socket connector.

Moisin (US 5,798,617 A) discloses fluorescent lamp assembly comprising plug and socket connector 32 for electrical connection with lamp and ballast circuit 28 (Fig. 2).

At the time of the invention it would have been obvious for one of ordinary skill in the art to modify McDonald and Lott by adding plug and socket connector disclosed by Moisin for electrical connection with lamp assembly ballast.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rue (US 4,695,803) discloses test circuit for testing lamp ballast.

Santos et al. (US 4,730,163) discloses testing lamp ballast connected to a lamp comprising measuring startup voltage and current.

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Li et al. (US 5,086,276) disclose method of testing HID lamp with ballast comprising measuring starting voltage and current and storing measured data in oscilloscope memory. Crenshaw (US 20020074958) discloses test apparatus comprising monitoring line voltage for testing fluorescent lamp.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Anjan K. Deb whose telephone number is 571-272-2228. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lefkowitz Edwards can be reached at 571-272-2180.



Anjan K. Deb

Patent Examiner

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4/9/05

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